



U.S. Department of Justice

*United States Attorney  
Eastern District of New York*

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271 Cadman Plaza East  
Brooklyn, New York 11201

August 2, 2012

By ECF

The Honorable Steven M. Gold  
Chief Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Chaim Lebovits, CR 11-134  
(S-2)(SJ)(SMG)

Dear Chief Magistrate Judge Gold:

The government writes to respond to the Court's requests, made during the July 19, 2012 hearing on the motions in the above case, that the government make two additional submissions, namely that the government submit: (1) an affidavit showing the government's efforts to staff the wire room with Yiddish interpreters; and (2) notification as to whether the government will voluntarily provide further particulars in response to the motion of the defendant Chaim Lebovits for a bill of particulars. The affidavit in response to request (1) is annexed hereto as Exhibit 1.

In response to request (2), the government notifies the Court and the parties that, within two weeks, the government will voluntarily provide to the defendants a bill of particulars disclosing, for each life insurance application with respect to which the government is charging the defendants with a scheme to defraud, the following information: (1) the insurance company to which the application was submitted; (2) the identity of the insured and an appropriate identifying number for the policy or application, if the latter is available; (3) the insurance

policy effective date, if the application was granted, and the approximate date of the application, if the application was not granted; and (4) the insurance agent who is listed on the application or policy. In response to Lebovits's requests, the government declines to provide any further particulars regarding the false statements on the applications because the indictment and the other narrative discovery provided to the defendants fully describe the six different types of lies that were part of the scheme. For the reasons discussed by the Court during the July 19, 2012 hearing, the government also declines to provide its basis for any conclusions concerning the effects of the false statements or any of the other particulars that Lebovits requested in his two requests for particulars, see, the two requests for particulars, numbered, respectively, "(2)" and "(3)," as set forth in Lebovits's October 14, 2011 Memorandum of Law in Support of his motion at page 3.

Thank you for your attention.

Respectfully submitted,

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